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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/298,453	04/13/1999	LAWRENCE M. BAIN	10990633-1	2072

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EXAMINER

HUYNH, CONG LAC T

ART UNIT PAPER NUMBER

2176

DATE MAILED: 07/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/298,453

Applicant(s)

BAIN ET AL.

Examiner

Cong-Lac Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. It is not proper that the width of the image 208 as shown in figure 2 is 116 units (specification, page 6, lines 18-21). The width of the image of 116 units should be 204 as shown in figure 2.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 8, the ratio, by definition, is the relation between two quantities expressed as a quotient of one divided by the other. Therefore, if "the first coordinate is a value representing the ratio of a horizontal line segment with a first endpoint coincident with a vertical edge of the image and the second endpoint coincident with the point" as claimed, the first coordinate should be the division between the horizontal line segment with the distance between the first endpoint coincident with the vertical edge of the image and the second endpoint coincident with the point. It is not the case as shown in figure 2 of the invention about the coordinates of points of the image.

The same issue is applied for the second coordinate.

Claim 24 includes the same limitation as in claim 8, and rejected under the same rationale.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-7, 11-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wies et al. (US Pat No. 6,161,126, 12/12/00, filed 2/2/99, priority 2/3/98).

Regarding independent claim 1, Wies discloses:

- sending a request by the browser to a server for a description of a page that includes a specification of the image and a shape, size, and location of active region within the image and specifying actions to be performed in response to input events directed to the active region (col 6, lines 27-46, sending in the client a request for a web page...; col 4, lines 23-59; col 12, lines 55-67, force effect regions for inputting actions in a web page ; figure 10, objects embedded in a web page have screen coordinates where the coordinates suggests a shape, size, and location of a region; figures 13a-b, 14, 17a-b; col 26, lines 4-39)
- receiving from the server in response to the request a description of the requested page that includes an invocation of a viewer for displaying the image, the invocation including parameters that describe the image and the client-side image map (col 26, lines 4-56; col 28, line 20 to col 29, lines 1-21, each active region such as a button or a force object in a web page is defined by an associated parameter included in the tags of the HTML document)
- instantiating the viewer and passing to the viewer the parameters included in the invocation (col 28, lines 20-67; col 29, lines 10-21, parameters of force objects including in the tags of a HTML file)
- storing by the viewer representation of active regions within the image in image-relative coordinates along with indications of the actions to be performed in response to input events directed to the active regions (col 31, line 65 to col 32, lines 1-23, the displaying of the force effect objects and the actions performing on these objects on the web page inherently shows storing of action regions within

the image along with the indication of actions in response to input events on these regions; col 20, line 54 to col 21, lines 1-22)

- passing the input event by the browser to the viewer when the input event is detected by the browser during display of the page (col 31, line 65 to col 32, lines 1-23, the input event on action region is detected and displayed to the viewer)
- determining an action specified for performance in response to the input event to the action region and calling for performance of the determined action when the viewer determines that the input event was input to a position within the image corresponding to the active region (figures 13a-b and 14; col 26, lines 4-39)

Wies does not disclose explicitly a client-side image map including an active region and associated with the image of the requested page. Instead Wies discloses the web page with an active region where the force effect is applied (figures 13a-b and 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Wies to include a client-side image map including an active region and associated with the image of the requested page since the web page including the force effect regions for inputting an action in a web page in Wies suggests a client-side image map with an action region.

Regarding claims 2 and 5, which are dependent on claims 1 and 2 respectively, Wies discloses that the page displayed by the browser running on a client computer is a web page and a hyper-text markup language document (col 3, lines 35-64; col 1, lines 62-67).

Regarding claim 3, which is dependent on claim 2, Wies does not disclose that the server runs on a server computer and a description of the web page is requested by the browser from the server and received by the browser from the server via the Internet. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included in Wies these above features since it was well known in the art that the server runs on a server computer, and the web page after requested at the client is received by the browser from the client via the Internet.

Regarding claim 4, which is dependent on claim 2, Wies does not disclose that the server runs on the client computer and a description of the web page is requested by the browser from the server and received by the browser from the server via an inter-process communication medium within the client computer. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included in Wies these above features since it was well known in the art that any client computer that connects to the Internet has an internal modem within the computer for transferring signal from the server to the client and vice versa, and it was well known that a requested web page can be run either at the client computer or the server computer.

Regarding claim 6, which is dependent on claim 2, Wies does not disclose that the *image is an OpenPix image* and wherein an invocation to a browser extension image viewer is included in the description of the web page.

However, Wies does disclose an image in the web page wherein the invocation to a browser extension image viewer is included in the description of the web page (col 29, lines 10-21, the parameters specified for the force objects are included in the tags of a HTML document, which is the description of the web page).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Wies to include the OpenPix image into Wies since the image of the force effect in Wies can be dynamically changed by adjusting the associated parameters (col 40, lines 1-29).

Regarding claim 7, which is dependent on claim 2, Wies discloses that the input events directed to the active region may include mouse-click, mouse-into, and mouse-out-from events, and actions to be performed in response to input events include display of a web page (col 40, lines 1-48, ...triggers by button-press or mouse-over...; figures 13a-b, 14, 19a-c).

Regarding independent claim 11, Wies discloses:

- receiving a request from the browser to the server for a description of the page that includes a specification of the image and an associated client-side image map which specifies a shape, size, and location of the active region within the image and that specifies actions to be performed in response to input events directed to the active region (col 6, lines 27-46, ...client machine sends a request for a web page to the server....server machine sends a web page to the

requesting client....; col 4, lines 23-59; col 12, lines 55-67 force effect objects, which are action regions, in web pages ; figure 10, objects embedded in a web page have screen coordinates; the fact that the server sends the web page to the request client wherein the web page includes action regions having screen coordinates inherently shows that the server receives such a request)

- including the invocation parameters that specify the image and the client-side image map, to create a transformed page description (col 26, lines 4-56; col 28, line 20 to col 29, lines 1-21, each active region such as a button or a force object in a web page is defined by an associated parameter)

Wies does not disclose:

- retrieving a description of the page
- determining the capabilities for viewing pages provided by the browser running on the client computer
- parsing the description of the page to find the specification of the image and the client-side image map included in the page
- substituting, in the description of the page, an invocation of a viewer for the specification of the image and the client-side image map included in the page
- sending the transformed page description to the browser

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated these above missing features into Wies since Wies discloses the sending an appropriate web page to the requesting client (col 6, lines 27-46; col 4, lines 23-59; col 12, lines 55-67; figure 10). This shows that Wies

inherently includes the steps retrieving..., determining..., parsing..., substituting ..., and sending ...above. Otherwise, the web page received will not be an appropriate form.

Claims 12-17 include the same limitations as in claims 2-7, and are rejected under the same rationale.

Claims 18-23 are for a system of method claims 1-8, and are rejected under the same rationale.

7. Claims 8 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wies as applied to claims 1 and 18 above, and further in view of White et al. (US Pat No. 6,034,689, 3/7/00, filed 6/3/96).

Regarding claim 8, which is dependent on claim 2, Wies does not disclose the image-relative coordinates represent the position of points within the image, a point within the image represented by a pair of coordinates, a first coordinate of the pair having a fractional value representing the ratio of a horizontal line segment with a first endpoint coincident with a vertical edge of the image and a second endpoint coincident with the point, the horizontal line segment perpendicular to the vertical edge of the image, the second coordinate of the pair having the fractional value representing the ratio of a vertical line segment with a first endpoint coincident with a horizontal edge of the image and a second endpoint coincident with the point, the vertical line segment perpendicular

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to the horizontal line edge of the image, the horizontal and vertical edge of the image intersecting at an origin having coordinates (0,0).

White discloses the X, Y coordinates of a selection icon in a web page (figures 9-10; col 14, lines 5-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined White into Wies since the **X, Y coordinates** in White inherently includes the **horizontal line segment** and the **vertical line segment**, and it was well known in the art that the horizontal line segment perpendicular to the vertical edge of the image and the vertical line segment perpendicular to the horizontal line edge of the image.

Though White does not disclose that the horizontal edge and the vertical edge of the image intersects at the origin having coordinates (0,0), it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified White to include the intersection of the horizontal edge and the vertical edge of the image at the origin coordinates (0,0) since by moving the image to the left most corner, the horizontal edge and the vertical edge of the image will intersect at the origin coordinates (0,0).

Claim 24 includes the same limitation as in claim 8, and are rejected under the same rationale.

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8. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wies as applied to claim 2 above, and further in view of Kernz (US Pat No. 6,366,899 B1, 4/2/02, filed 2/26/99, priority 2/26/98).

Regarding claims 9 and 10, which are dependent on claims 2 and 9 respectively, Wies does not disclose:

- passing a display altering input command by the browser to the viewer
- altering the display of the image by the viewer in accordance with the input command
- wherein display altering input events include a zoom input event and a pan input event

Kernz discloses:

- altering the display of the image by the viewer in accordance with the input command (figures 4-10; col 4, lines 60-67; col 7, lines 45-67; col 10, line 57 to col 11, lines 1-16)
- wherein display altering input events include a zoom input event and a pan input event (col 7, lines 45-67, input events are zooming and panning)

Kernz does not disclose passing a display altering input command by the browser to the viewer. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Kernz to include passing a display altering input command by the browser to the viewer since altering the display of the

image by the viewer in accordance with the input In Kernz inherently shows that passing a display altering input command is carried out first, before performing the altering.

Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Kernz into Wies for providing users with image-rich, responsive web pages via various degrees of magnification of images in a web page.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

McCain (US Pat No. 5,801,679, 9/1/98, filed 11/26/96).

Kikinis (US Pat No. 5,929,849, 7/27/99, filed 5/2/96).

Gauvin et al. (US Pat No. 6,061,686, 5/9/00, filed 9/26/97).

Cragun et al. (US Pat No. 6,324,553 B1, 11/27/01, filed 11/26/97).

Wies et al. (US Pat No. 6,353,850 B1, 3/5/02, filed 8/28/00, priority 2/3/98).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

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746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
July 1, 2002


STEPHEN S. HONG
PRIMARY EXAMINER